

OCT 25 2005

PATENT

Docket No.: 1232-5156

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): MATSUMOTO et al.

Group Art Unit: 1765

Serial No.: 10/664,998

Confirmation No. 4610

Examiner: Anita Karen Alanko

Filed: September 18, 2003

For: POSITION DETECTING METHOD AND APPARATUS

CERTIFICATE OF FACSIMILE TRANSMISSION

Mail Stop Amendment
COMMISSIONER for PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that the following item(s):

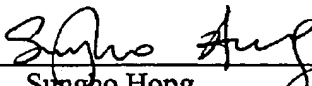
1. Response to Restriction Requirement

is/are being transmitted pursuant to 37 C.F.R. §1.8 by facsimile on the date indicated below to Examiner **Anita Karen Alanko** of Group Art Unit 1765 at the following facsimile number: (571) 273-8300. Transmission Total: 4 pages (including this cover sheet).

Respectfully submitted,
MORGAN & FINNEGAN, LLP

Date: October 25, 2005

By: _____


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952518 v1

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P.O. Box 1450
Alexandria, VA 22313-1450**RESPONSE TO REQUIREMENT FOR RESTRICTION/ELECTION**

Sir:

In response to the Official Action dated September 27 in which pending claims 1-18 are subject to a Restriction and/or Election Requirement and, Applicants respectfully submit the following response.

I. The Examiner's Restriction/Election Requirement

The Examiner has determined that this application contains claims directed to four groups of patentably distinct invention:

Group I: Claims 1-8, drawn to a method for detecting a position, classified in class 216;
and

Group II: Claims 9-19, drawn to an apparatus, classified in class 438.

II. Applicants' Election

Applicants provisionally elect to pursue prosecution of (1) Group I claims (i.e. claims 1-8).

II. Applicants' Traversal

This election is made with traverse. Applicants respectfully submit that (1) all groups of claims are properly presented in the same application; (2) undue diverse searching should not be required; and (3) all claims should be examined together. For the foregoing reasons, it is respectfully submitted that the election requirement should be withdrawn and an action on the merits of all the originally presented claims is respectfully solicited.

If any issues exist, or if the Examiner has any suggestions for expediting allowance of the application, the Examiner is invited to contact the undersigned at the telephone number below.

952512 v1

Appl. No. 10/664,998
Response dated October 25, 2005
In Reply to Office Action of September 27, 2005

Docket No. 1232-5156

AUTHORIZATION

No fee is believed due for this response. The Commissioner, however, is hereby authorized to charge any fees which may be required for this response to Deposit Account 13-4500, Order No. 1232-5156.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: October 25, 2005By: 

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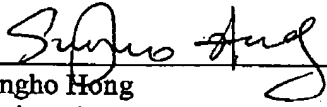
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